

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS**

**June 15, 2022**

**Virtually by Zoom**

**CALL TO ORDER:**

The meeting was called to order at 7:00 PM.

**NOTATION OF ATTENDANCE:**

The Board provided introductions and announced officers.

John Pesce, President

Nic D'Ascoli, Vice-President

Erik Herron, Secretary

Laura Magnuson, Treasurer

Mark Sagarin, At-Large

Others:

Kristin Czarick, CMCA, AMS, WLA GM

Shelia Jenkins-Diaz, Executive Assistant  
to the GM

Sonia Iraheta, First Service Residential

Don Perper, First Service Residential

**APPROVAL OF MINUTES:**

**ACTION:**

Erik Herron offered a motion to approve the May 18, 2022 minutes with the Closed Meeting Statements from March 8, 2022, March 15, 2022, April 2, 2022 and April 21, 2022.

Mark Sagarin provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**OPEN FLOOR:**

John Pesce addressed that the Architectural Guidelines that were tabled from May are not yet ready for vote; therefore, would not be an agenda item for tonight's meeting.

Open floor opened at 7:05 p.m.

- I. Anita Weinstein expressed concerns about minutes being posted to the website. John Pesce and Laura Magnuson asked if draft minutes could be posted; GM addressed that draft minutes should not be posted; however, minutes will be emailed to the Board for approval and posted to the website following their approval. GM requested a Board motion if they want draft minutes posted.

Resolved: Board will expedite review and approval of minutes with a goal of getting them posted to the WLA website more quickly.

- II. Jennifer Stonesifer discussed parking issues at Pool A, especially during swim meets. Laura Magnuson discussed that a letter is being sent about parking to Churchill Senior Living, but is being reviewed with counsel. Jennifer discussed that they have 2 attendants to help facilitate parking. John Pesce asked if swim team considers car pooling and walking, which Jennifer confirmed they do.
- III. Stephen Tise expressed opposition to Churchill Senior Living utilizing the community center parking lot; and based on research, that only 2 handicapped spots

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- should be required. Erik Herron discussed that Churchill Senior Living are considered members and would have use of the parking lot. Laura Magnuson discussed the interest in denying parking use due to nonpayment of assessments.
- IV. Anita Kimberling addressed that Montgomery County reduced the speed limit on Waters Landing Drive from 30mph to 25mph and asked if the Association could provide notice of the change.
- V. Bruce Schwalm also addressed the concerns over Churchill Senior Living parking use. Nic D'Ascoli addressed that there are things behind the scenes that cannot be discussed in open forum due to pending litigation. Bruce also discussed maintenance issues for the pools to be addressed so that delayed opening would not occur. Bruce also addressed the speed limit change and pedestrian responsibilities. Laura Magnuson asked that residents continue to contact Montgomery County about Waters Landing Drive safety issues. Bruce asked about notice. GM addressed that it is scheduled to include an update on the speed limit change in a News Ashore going out Thursday, June 16<sup>th</sup> that would also announce Pool B opening.
- a. Vlade from RSV Pools, Inc. addressed that when the whitecoat project was started is when the pool beam damage was discovered, as partial demolition was necessary. Discussion over winterization, end of pool season inspections, more in-depth analysis of pool issues and a failure analysis of caulking issues took place. Vlade addressed that caulking at Pool A should be addressed in the Fall. It was noted that Pool B will open Saturday.
- VI. Kim Schwalm addressed the safety concerns in relation to speeding in the neighborhoods and the need for additional signage. GM confirmed that roads in the single-family neighborhoods are owned and maintained by Montgomery County, like Waters Landing Drive. WLA would get notice out, but signage would come from the County.
- VII. Erik Herron addressed some concerns about the pool maintenance. GM and RSV brought proposals to the Board last year, which included a Fall discount. The Board elected to bid out the project and therefore work could not get completed in the Fall. Once demolition occurred and damage was assessed, the Board met with Vlade and the GM on site to review and approved the repair work. Due to timing of weather and contractor schedule, the work was completed with opening occurring the upcoming weekend on Saturday, June 18<sup>th</sup>.

### CONTRACTOR REPORT:

Vlade Jankovic, of RSV Pools, Inc. presented an update on the pool season. There have been a few parts issues at Pool A, including an impeller and pipe issue, but both issues were addressed so that the pool remained open. Both pumps are working. Guards need to improve performance, including checking passes upon entry and following schedule as directed.

Laura Magnuson addressed an issue with scheduling where she was asked to get out of the pool early. Laura asked how many pools does RSV manage. Vlade confirmed they have 60 pools, with 51 in Montgomery County and 9 in Frederick County. The manager, Denize, oversees both

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pools, with an operator at each pool. RSV maintains 7 supervisors, with Vlade having 12 pools. Vlade also discussed that his number, along with other supervisors are in their book, which is accessible for guards. Pools are required to have landline phones by Montgomery County code.

### **FINANCIAL REPORT:**

Sonia Iraheta of First Service Residential provided the financial report, available electronically. She reviewed the narrative for April 2022, which included the balance sheet, income statement, expenses and delinquency summary.

Mark Sagarin asked about fluctuations within the budget and if they're normal. Sonia confirmed that this is normal and is related to accruals.

Discussion occurred regarding Whiteford, Taylor & Preston legal bills. Bills will be submitted to the Board for review prior to payment. GM suggested that a time frame be established for review.

The 3-year comparative budget analysis to be used for 2023 budget development has been completed but needs to be reviewed by Michael Falla, and should be completed by the end of June.

Mark Sagarin requested that he be included in email communications between First Service Residential and the Treasurer as he will be stepping in as Treasurer temporarily.

Erik Herron addressed that there will not be a special assessment due to the pool repairs or Churchill Senior Living.

### **COMMITTEE REPORT (AERC):**

John Pesce, as Chair of the Architectural & Environmental Review Committee (AERC) provided an update on the March, April, May & June meetings. He also reviewed the AERC member appointments announced at the May Board of Directors meeting.

March: Six applications with two tabled.

April: Nine applications with three tabled.

May: Six applications with two tabled.

June: Nine applications with one tabled and one disapproved. The disapproved application could reapply if the application is amended and AERC concerns addressed.

John addressed that the AERC is currently working on establishing color schemes for each neighborhood to help facilitate inspections and application process. The pilot neighborhood that was reviewed first was Deep Wood Village. Shelia Jenkins-Diaz asked if there was a time frame for completion, but John confirmed that there is not at this time.

It was also reported that the Board asked the AERC to provide an assessment on the proposed construction of Churchill Senior Living, even without an official application, as all pertinent

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information is available to the public online. The AERC unanimously disapproved the height as not keeping in harmony with the Association. It was discussed if a formal request for an application should be sent to Churchill Senior Living.

### **ACTION:**

Laura Magnuson offered a motion to consider and adopt the AERC proposed rejection of the CSL development.

Mark Sagarin provided the second.

Erik Herron addressed that the process should be reviewed with Whiteford, Taylor & Preston.

Laura Magnuson discussed that the design does not keep in harmony and as a member they should submit an application. The AERC reviewed the public plans and did not find the harmonious. Nic D'Ascoli asked about process. GM discussed the process for compliance; however, the Association typically deals with permitting, not Park and Planning on architectural issues that are not in compliance and agreed with Erik Herron that the process of contacting Park and Planning the objection to design should be reviewed with Whiteford, Taylor & Preston. John Pesce addressed that he asked Ben Andres of Whiteford, Taylor & Preston if we could request an application and Ben Andres confirmed that we can. GM will draft a letter to send to the Board by Friday, June 17<sup>th</sup>.

Motion tabled until the August meeting.

### **GM REPORT:**

GM reviewed that pool pass distribution is, as usual, taking up a large portion of staff time at the moment. With warmer weather, there are more questions regarding architectural changes, room rentals and tree requests. At the time of the meeting, approximately 700 households have been processed. The office noted their surprise at the number of paper applications. The pool pass application is available online and is PDF form-fillable, which can be emailed in.

Trees throughout the community are being evaluated, but residents should also contact the office if they notice any branches encroaching or other issues. A note letting residents know how to request tree work will be in an upcoming edition of the News Ashore. Laura asked about 2 possible dead trees on the path system leading off of from pool B, near Cloverdale Place. GM would have to inspect, but they may be on the list. GM also addressed that a number of ash trees are dying and require removal due to the emerald ash borer.

Nic D'Ascoli asked about volume of communications and interactions and how many of each type. Since the May Board meeting, resident interactions were minimally at 1,000 via in-person, email and phone call.

Nic D'Ascoli expressed concerns over the usage of the drop box system and exposure of PII (personally identifiable information) and requested a change so that applications can be dropped directly into the building.

### **ACTION:**

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Nic D'Ascoli offered a motion to evaluate and immediately change the process for application drop off.

Laura Magnuson provided the second.

GM addressed the mailbox has a lock, which can be locked and utilized for all applications. Office staff encourage some kind of drop box system to allow residents to drop office various applications at their convenience.

Nic D'Ascoli amended his motion that guidance should be provided to residents that application should only be dropped off during normal resident hours, mailed or electronically sent.

Erik Herron provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

Swim Team Rep Jennifer Stonesifer apologize for the inconvenience and confusion over practice set-up and public pool usage. The office requested an updated calendar for the entire time swim team is at the facility. GM addressed with the pool supervisor and pool manager that the schedule should be per the calendar provided by the office and that lap swimmers may continue to swim while swim team is setting up practice. Laura Magnuson confirmed that she was able to swim laps during practice set up this evening. Nic D'Ascoli asked about swim team functioning as a committee. GM confirmed that the Board did not establish swim team as a committee in May.

**ACTION:**

Nic D'Ascoli offered a motion to establish swim team as a committee.

Mark Sagarin provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**BOARD REPORT:**

Erik Herron provided an update on Churchill Senior Living. Nothing has changed since the May Board meeting, with trial set for early 2023. Laura Magnuson addressed a settlement proposal.

**OLD BUSINESS:**

**COMMITTEE USE OF FUNDS**

The office requested a policy by the Board for approving funds for committee use. GM recommended that budgets should be submitted 30 days prior and receipts or requests for reimbursements should be submitted within 14 days.

**ACTION:**

Erik Herron offered a motion to adopt GM recommendations.

Mark Sagarin provided the second.

The requests should include a description of the event and needs.

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Nic D'Ascoli addressed that after committees have been established that they should provide an annual budget. GM and Board discussed that this may take some time for new committees to determine.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**APPOINTMENT OF FINANCE COMMITTEE MEMBERS**

**ACTION:**

Erik Herron offered a motion to appoint the five volunteers, Paul Stuhmer, Jill Bennis, Cindy Snow, Maria Au, and Jeff Harkawik, to the finance committee, but that documents and Board confidentiality needs to be discussed prior to disclosure.

Mark Sagarin provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**APPOINTMENT OF ELECTRIC CHARGING STATION COMMITTEE MEMBERS**

John Pesce addressed that this is a research committee for townhome communities where there are not private driveways or garages where charging stations could be safely installed. In townhome communities, stations would require cables to cross common ground.

**ACTION:**

Erik Herron offered a motion to appoint the Daniel Malgran, Peter Rotella and Josh Clayton to the Electric Charging Station Committee.

Mark Sagarin provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**NEW BUSINESS:**

**APPOINTMENT OF ACTING TREASURER**

**ACTION:**

Erik Herron offered a motion to appoint Mark Sagarin as acting treasurer.

Nic D'Ascoli provided the second.

Nic D'Ascoli addressed that the By-Laws allow the Board to appoint a treasurer and assistant treasurer. The Board discussed that in this case, Mark Sagarin would take on the role as treasurer while the current treasurer is out on leave.

Erik Herron amended his motion to appoint Mark Sagarin as Assistant Treasurer.

Nic D'Ascoli provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson; Sagarin abstained)

**2021 AUDIT REPRESENTATION LETTER**

John Pesce addressed that the 2020 audit was recently completed. The Board met with The

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Goldklang Group to review and approve the audit. The audit reflected the Association is in good standing. Laura Magnuson addressed that there were recommendations and that reserves are good.

**ACTION:**

Erik Herron offered a motion to accept The Goldklang Group Representation letter to complete the 2021 audit.

Mark Sagarin provided the second.

Motion carried. (D'Ascoli/Herron/Magnuson/Sagarin)

**SPEED BUMPS**

**ACTION:**

Erik Herron offered a motion to have speed bump installation included in repaving projects in the townhome neighborhoods.

Laura Magnuson provided the second.

GM addressed that the office would research if the Board could have speed bumps installed without neighborhood votes if they do not pre-exist as this would be a new expense for the neighborhood and residents have objected to speed bumps previously. Confirmation on this issue will be completed before the August meeting.

Motion tabled until August.

**CHURCHILL SENIOR LIVING LETTERS**

**ACTION:**

Laura Magnuson offered a motion to have letters drafted within a week for parking and architectural application.

Mark Sagarin provided the second.

John Pesce will ping Whiteford, Taylor & Preston again to confirm.

Motion tabled.

**MEETING CHAT**

Discussion regarding including the chat with the minutes occurred. The chat will be emailed to the Board for the record, but not included in the minutes.

**ADJOURNMENT:**

**ACTION:**

Laura Magnuson offered a motion to adjourn the meeting at 9:44 p.m.

Erik Herron provided the second.

Motion carried unanimously. (D'Ascoli/Herron/Magnuson/Sagarin)